

# ***SAFE DRINKING WATER ACT***

## ***Underground Injection Control***

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***US Environmental Protection Agency – Region 4***

***Water Programs Enforcement Branch***

***Central Enforcement Section***

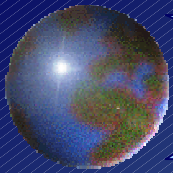
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***Web:***

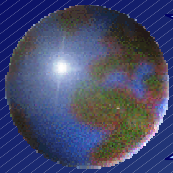
***<http://www.epa.gov/region4/water/wpeb>***





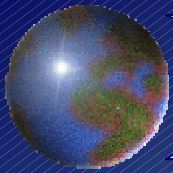
# ***SAFE DRINKING WATER ACT***

- **Developed in 1974 –Protect Public Health**
- **SDWA Part C – Protection of USDWs**
- **Section 1421 – Reg for State UIC Prog.**
  - **UIC Regulations – 40 CFR Parts 144-148**
- **Section 1422 – State Primary Enf. Resp.**
- **Section 1423 – EPA Enf./Oversight**
- **SDWA Part D Section 1431 – Emergency Powers**



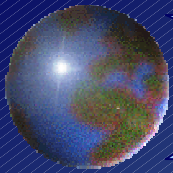
# ***INSPECTION AUTHORITY***

- **300j-4(b)(1) of the SDWA**
  - Enter facility, property, or establishment
  - Conduct inspection, tests, audits
  - Examine Records
- **Primacy States**
  - Notification in Advance
  - Accompany EPA
- **Failure to allow authorize entry — *Subject to penalty up to \$25,000***



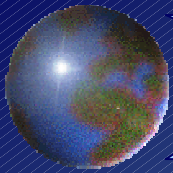
# ***INSPECTION TYPE***

- **Routine Inspection**
  - Monitor Operation
  - Records Review
- **Targeted Inspection**
  - Class of Injection Well
  - Sector Based
  - Investigations of suspected non-compliance
  - Referrals
- **Multimedia** (*can be part of targeting strategy*)



# ***INSPECTION CONTENT***

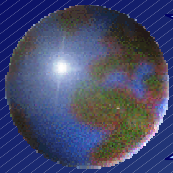
- **In-Briefing**
- **Facility Overview**
  - **Operations and Layout**
  - **Map review**
- **Site Inspection/Verification**
- **Review Permitted Facilities**
- **Out-Briefing**
- **Inspection Report**



# ***INSPECTION FOCUS***

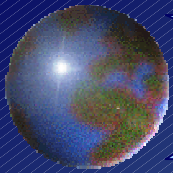
- **Permitted Wells**
  - **Inspection/Operation**
  - **Records review**
- **Facility Activity**
- **Identification of Other Injection Wells**
- **Field Inspection/Verification**







# ***CLASSES OF INJECTION WELLS***

- **Class I – Hazardous/non-hazardous fluids & Municipal wastewater below the lowermost USDW**
- **Class II – Fluids associated with production of Oil and Natural Gas**
- **Class III – Fluids to extract minerals (Solution mining)**
- **Class IV – Hazardous or Radioactive wastes into or above a USDW (Banned!)**
- **Class V – All Other (Non-hazardous fluids into or above a USDW.**



# ***CLASS V INJECTION WELLS***

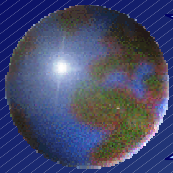
## **Class V Rule, Phase I**

-  **Finalized in 1999**
-  **Two Subtypes of Wells**

## **Large Capacity Cesspools**

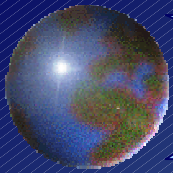
-  **Serves 20 persons or more**
-  **New are Banned (2000)**
-  **Existing must close (2005)**
-  **Notification 30 Days for Closure**









# ***CLASS V INJECTION WELLS***

- **Motor Vehicle Waste Disposal Wells**
  - **New are Banned (2000)**
  - **Existing must close by 2008 or apply for permit**
  - **Notification 30 Days for Closure**
- **States Determine Watershed Protection Areas by January 1, 2004**



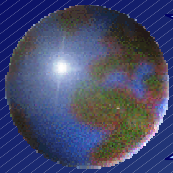
# ***CLASS V INJECTION WELLS***

## **Class V Rule, Phase II**

-  **Determine Remaining Class V Well Types**
-  **Determine Need for Additional Regulations**
-  **Proposed April 2001**
-  **Final Determination Effective June 7, 2002**

## **Protective Requirements of Program**

-  **Develop Comprehensive Inventory**
-  **Protect USDW from contamination**
-  **Require Permits, Monitoring, or Closure**







# ***OTHER CLASS V WELLS***

## **Sanitary**

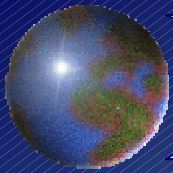
-  **Large Capacity Septic Tanks (>20 persons)**
-  **Single Family Excluded**

## **Industrial Wells**

-  **Incidental/Process Waste**
-  **Car Wash Wastewater**
-  **Laundromats**
-  **Food Processing**

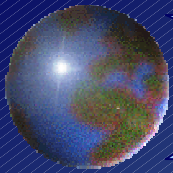
## **Aquifer Remediation Wells**

## **Storm Water Wells**



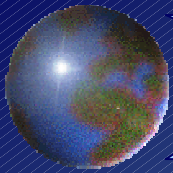
# *Obvious Storm Water Well*





# *Less Obvious Storm Water Well*

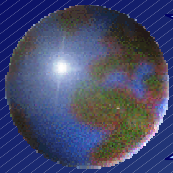




# ***CLASS V WELL MANAGEMENT***

- **Class V Wells Authorized by Rule**
  - **Not Endangering a USDW**
  - **Submit Basic Inventory Information**
- **If Potential for USDW Contamination?**
  - **Require UIC Permit**
  - **Preventive Action (Closure)**
  - **Remediation**
  - **Enforcement Action**





# ***TYPICAL VIOLATIONS***

## ● **Permitting**

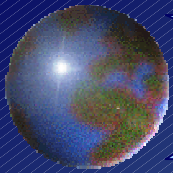
### ■ **Failure to meet Permit conditions**

- **Monitoring**
- **Mechanical Integrity**

## ● **Illegal Injection Activity**

## ● **Injection Endangerment of a USDW/PWS**

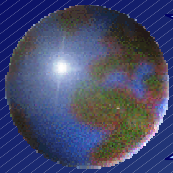
## ● **Failure to Submit Information**



# ***EPA INVENTORY PROGRAM***

## ***“Not Enforcement”***

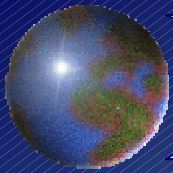
- **Meet with Base Environmental Staff**
- **Explain Types of UIC Wells**
- **Conduct Inventory w/Base Staff**
- **Educate/Assist Staff  
w/questions**



# ***INVENTORY REQUIREMENTS***

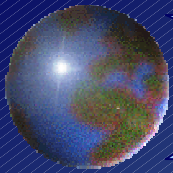
## ***40 CFR Section 144.26***

- **Name**
- **Location Information**
- **Ownership**
- **Nature of Fluid**
- **Type of Injection Well**
- **Status of Well**
- **See Handout...**



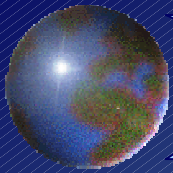
# ***WHAT IF I HAVE A CLASS V WELL??***

- **Located in TN or KY**
  - **Contact EPA**
- **Other Region 4 States**
  - **Contact State UIC Program**



# ***EPA ENFORCEMENT PROCESS***

- **Inspection**
- **NOV/Show Cause**
- **Informal Conference**
  - **Settlement – CAFO or Withdrawn**
  - **No Settlement**
    - **Administrative Complaint**
- **Administrative Complaint (Injunctive Relief and/or \$\$)**
- **Hearing and Negotiations**
- **CAFO or Litigation (Possible Civil Referral)**



# ***GENERAL RULES***

- **EPA will normally not make specific statements of any Violations of the UIC Program during inspections.**
- **Submittal of UIC Class V inventory will be requested**
- **Inventory assistance is available**